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DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
WASHINGTON, D.C. 20350

IN REPLY REFER TO

OPNAVINST 4900.9E
Op-63

1 JUL 1981

OPNAV INSTRUCTION 4900.9E

Subj: DOD Policy and Responsibilities Relating to Security Assistance

Encl: (1) DOD Directive 5132.3 of 10 Mar 1981

(R)

1. Purpose. To transmit enclosure (1), which assigns various functions relating to security assistance within DOD, for compliance and information, as appropriate. This is a complete revision from the previous instruction.

2. Cancellation. OPNAVINST 4900.9D.

3. Implementation. The Chief of Naval Operations is responsible for the Department of the Navy (including Marine Corps) functions enumerated in enclosure (1) and for providing recommendations to the Secretary of the Navy regarding overall security assistance policy, planning, and programming matters. All addressees will ensure compliance with paragraph E7 of enclosure (1).

(R)

D. M. ALTWEGG
By direction

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(See page 2)

OPNAVINST 4900.9E
21 Jul 1981

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March 10, 1981
NUMBER 5132.3

Department of Defense Directive

ASD(ISA)

SUBJECT DoD Policy and Responsibilities Relating to Security Assistance

References: (a) DoD Directive 5132.3 "Department of Defense Policy and Responsibilities Relating to Security Assistance," December 20, 1972 (hereby canceled)
(b) The Foreign Assistance Act of 1961, as amended
(c) The Arms Export Control Act, as amended
(d) through (x), see enclosure 1

A. REISSUANCE AND PURPOSE

This Directive reissues reference (a), establishes DoD policy, and assigns DoD responsibilities pursuant to reference (b), reference (c), and related statutory authorities, executive orders, and policies established by the Secretary of State relating to the administration of security assistance.

B. APPLICABILITY

The provisions of this Directive apply to the Office of the Secretary of Defense (OSD), the Military Departments, the Organization of the Joint Chiefs of Staff (JCS), the Unified and Specified Commands, the Defense Agencies, and the Military Assistance Advisory Groups (MAAGs) (hereafter referred to as "DoD Components").

C. DEFINITION

Military Assistance Advisory Groups (MAAGs). For the purpose of this Directive, the term MAAG encompasses all DoD Components located in a foreign country with assigned responsibilities for carrying out security assistance management functions under Section 515 of reference (b) and under reference (c) regardless of the actual title assigned.

D. POLICY

1. Security assistance shall be administered in accordance with references (b) and (c), related or successor legislation, applicable executive orders, DoD 5105.38-M (reference (d)), and other appropriate DoD and Department of State Directives and Instructions (including those listed as references in enclosure 1).

Enclosure (1)

2. Security assistance, an important instrument of national security policy, is an integral element of the DoD mission. The development and execution of the program shall be accorded the same high degree of attention and efficiency as other DoD programs. To the extent practical, security assistance requirements shall be integrated with other DoD requirements and implemented through the same DoD systems, facilities, and procedures.

3. The fundamental responsibility of foreign governments to determine the nature of their own security interests and paths of their own progress shall be recognized. In providing assistance to less developed countries, emphasis shall be placed on the development of their capabilities to organize, employ, and manage national resources allocated to defense.

4. Security assistance plans and programs shall take into consideration the economic capabilities of the foreign country concerned and the support provided by third countries. Except for overriding military considerations, the build up of military forces that the recipient country ultimately cannot support shall be discouraged.

5. No commitment involving future U.S. programs, performance, or the availability of U.S. resources shall be made except in accordance with DoD Directive 2100.3 and OMB Memorandum of June 17, 1977 (references (e) and (f)).

6. The selection and training of U.S. personnel engaged in security assistance activities shall receive special attention. The standards, procedures, and responsibilities within Department of Defense for the selection and training of security assistance personnel shall be in accordance with DoD Directives 2000.10 and C-5105.32 (references (g) and (h)).

7. The security classification of security assistance information and the disclosure and safeguarding thereof shall be consistent with DoD 5200.1-R and DoD Directive 5230.11 (references (i) and (j)), and NDP-1 (reference (k)).

8. Security assistance supports the foreign policy and national security objectives of the United States. DoD security assistance activities shall be in consonance with U.S. military strategic plans and objectives and guided by the policy and planning guidance issued by the Secretary of Defense, and by guidance and policies issued by the Secretary of State.

E. RESPONSIBILITIES

1. The Assistant Secretary of Defense (International Security Affairs) (ASD(ISA)) shall act for the Secretary of Defense in security assistance matters and shall:

a. Serve as the principal DoD point of contact, representative, and policy spokesman relative to security assistance.

b. Provide policy direction and staff supervision for the Director, Defense Security Assistance Agency.

c. Provide security assistance policy guidance to DoD Components, DoD representatives on U.S. missions, and DoD representatives at international organizations and conferences.

d. In conjunction with other agencies, maintain liaison with other governments that are planning security assistance to third world countries in order to avoid duplication of effort and achieve maximum mutual effectiveness of programs.

e. Approve on behalf of the Secretary of Defense the appointment, tour extensions, or curtailments of the Chiefs of MAAGs, as recommended by the JCS.

f. Review and approve recommendations by the JCS on the Military Service designation of the Chiefs of MAAGs.

g. Ensure that the DoD security assistance effort is accomplished in an effective and efficient manner.

2. The Under Secretary of Defense for Research and Engineering (USDR&E) shall:

a. Ensure consideration of rationalization, standardization, and interoperability in security assistance programs with allies, giving particular emphasis to NATO allies.

b. Provide an analysis of the risks of compromise of advanced U.S. weapons systems and the impact of U.S. research development, test and evaluation acquisition programs.

c. Ensure conformance with technology transfer and industrial collaboration policies.

3. The Director, Defense Security Assistance Agency (DSAA), shall perform functions in accordance with DoD Directive 5105.38 (reference (1)).

4. The Assistant Secretary of Defense (Comptroller) shall establish policies and procedures for security assistance activities involving financial management, fiscal matters, accounting, pricing, budgeting for reimbursements to DoD appropriation accounts and revolving funds, auditing, international balance of payments, and matters affecting the DoD budget.

5. The Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) (ASD(MRA&L)) shall ensure that DoD logistical policy and procedures provide the most effective interface and integration with security assistance policy and program implementation. The ASD(MRA&L) shall establish, supervise, and maintain the Security Assistance Manpower Accounting System and provide technical assistance to the ASD(ISA) and the Director, DSAA, to accomplish the objectives of the security assistance program.

6. Other Officials of the Office of the Secretary of Defense and Directors of Defense Agencies shall provide appropriate assistance as requested by the ASD(ISA) and the Director, DSAA.

7. The Secretaries of the Military Departments shall serve as advisors to the Secretary of Defense on all matters of security assistance impacting upon or related to their respective Departments and shall act for the Secretary of Defense when responsibility for the actions is delegated. In carrying out their responsibilities, the Secretaries shall:

a. Provide recommendations to the Secretary of Defense considered appropriate and necessary to ensure the successful conduct of security assistance, including its interface with and support of Military Department policies, objectives, plans, and programs.

b. Provide data, upon request, on price, source, availability, and lead-time for use in developing and reviewing security assistance programs, including foreign military sales cases.

c. Provide technical information to elements of the OSD, the JCS, the Unified Commands, and the MAAGs, on weapons systems, tactics and doctrine, training, and logistic support.

d. Conduct training and acquire and deliver defense articles and services included in approved programs.

e. Coordinate and establish delivery schedules and necessary internal procedures for follow-up, expediting, and related actions during implementation of approved programs.

f. Provide other technical assistance and facilities to the OSD that are necessary to promote efficiency and economy in security assistance matters.

g. Within policies and criteria established by the ASD(ISA), and under direction of the Director, DSAA, make sales of defense articles and services to eligible countries and international organizations.

h. Integrate acquisition for security assistance with Military Service acquisition programs in accordance with policy guidance provided by the USDR&E.

i. Maintain appropriate records and furnish prescribed reports within the scope of their responsibilities, consistent with the provisions of DoD Directive 5000.19 (reference (m)) and DoD Directive 5000.11 (reference (n)).

j. Obtain from the Unified Commands and the MAAGs such data as may be needed to carry out assigned responsibilities.

k. With respect to the area or areas assigned, be responsible for providing administrative support needed to carry out security assistance functions, subject to the direction and policy guidance of the ASD(ISA).

l. In accordance with approved tables of distribution and other authorizations, directives, and requests, recommend and provide qualified military personnel to carry out security assistance assignments.

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m. Assist the ASD(ISA) and the Director, DSAA, as requested, in government-to-government or interdepartmental discussions involving security assistance policies, plans, and programs.

n. Assist the ASD(ISA) and the Director, DSAA, as requested, in government-to-government negotiations involving security assistance and the ASD(MRA&L), in government-to-government negotiations involving international logistic arrangements.

8. The Joint Chiefs of Staff shall:

a. Coordinate security assistance with U.S. military plans and programs and provide the Secretary of Defense with military advice concerning security assistance programs, actions, and activities to include:

(1) Recommending the selection, introduction, or redistribution of weapons systems in and among recipient countries considering, inter alia, standardization and interoperability.

(2) Recommending military force objectives, requirements, and priorities for actual or potential security assistance recipients.

(3) Assessing the impact of security assistance programs on U.S. programs and defense readiness.

b. Recommend security assistance organizational and manpower requirements for MAAGs and security assistance personnel augmentations to defense attache offices.

c. Recommend the designation of Military Services responsible for furnishing Chiefs of MAAGs, other than defense attaches, assigned security assistance responsibilities.

d. For other than defense attaches assigned security assistance responsibilities, nominate individuals to serve as Chiefs of MAAGs and recommend tour extensions or curtailments for such individuals.

e. Assign force and activity designators to determine priorities in the allocation of defense articles among recipient nations and between recipient nations and the U.S. Armed Forces, within guidelines established by the OSD (DoD Directive 4410.6, reference (o)). Recommend priorities of allocation of materiel and equipment when competing requirements cannot be resolved.

9. Commanders of Unified Commands with area security assistance responsibilities shall provide to the JCS a military assessment and impact upon security assistance programs within their respective areas of responsibility. To carry out this responsibility, Commanders of Unified Commands shall:

a. Make recommendations to the JCS and the Secretary of Defense on any aspect of security assistance programs, projections, or activities.

b. Keep informed on security assistance matters, to include programs, projections, and activities.

c. Command and supervise the MAAGs in matters that are not functions or responsibilities of the Chiefs of the U.S. Diplomatic Missions, including the provision of necessary technical assistance and administrative support to MAAGs.

d. Coordinate and assist DoD Components in the conduct of regional security assistance programs and activities.

e. Develop and submit, as directed by the JCS, recommendations regarding organization, staffing, and administrative support of MAAGs. This includes:

(1) Recommended grade and service affiliation for Chiefs of MAAGs, other than defense attaches assigned security assistance responsibilities.

(2) Coordinate nominations for individuals to serve as Chiefs of MAAGs and recommend tour extensions or curtailments for such individuals.

f. Keep the Secretary of Defense, JCS, and Military Departments informed on matters that could impact upon security assistance and on security assistance programs or actions that could impact upon other DoD programs under their cognizance.

g. Ensure coordination of regional security assistance matters with U.S. diplomatic missions and DoD Components.

h. Conduct activities to ensure the efficient and effective administration of security assistance activities.

i. Provide evaluation of the efficiency and effectiveness of DoD overseas security assistance organizations.

10. The Chiefs, Military Assistance Advisory Groups, shall maintain liaison between DoD Components, the appropriate elements of the U.S. Diplomatic Mission, and the foreign defense organization in order to:

a. Enable the foreign government to acquire information needed to make decisions concerning the acquisition, use, and required training involved in obtaining defense articles and services from the United States through security assistance programs (keeping in mind that host countries are to be encouraged to establish and depend, to the extent possible, upon their own procurement missions in the United States);

b. Obtain information needed to evaluate host military capability to employ and maintain equipment being requested and to process the foreign government's security assistance proposals;

c. Enable the United States to request the foreign government to take action in order to facilitate the timely, efficient, and responsive implementation of approved programs; and,

d. Enable the United States to acquire information concerning potential future defense acquisitions by the foreign governments and anticipate demands on U.S. resources.

e. Report on the use by the host country of defense articles and services provided as grant aid, as well as personnel trained by the United States.

f. Assist U.S. Military Departments and their subordinate elements in arranging for the receipt, transfer, and acceptance of security assistance materiel, training, and other services for recipient countries.

g. Assist the host government in the identification, administration, and proper disposition of security assistance materiel that is in excess of current needs.

h. Perform secondary functions, such as, advisory and training services and negotiation on nonsecurity assistance military matters, so long as these activities do not detract from the primary functions.

i. Keep the ASD(ISA), DSAA, JCS, Unified Commands, and Military Departments informed, through appropriate channels, of security assistance activities in-country.

F. PROCEDURES

1. MAAG personnel assigned to a foreign country shall serve under the direction and supervision of the Chief of the U.S. Diplomatic Mission in that country as provided by law and in accordance with the President's letter (reference (p)). For military matters that are not functions or responsibilities of the Chief of the U.S. Diplomatic Mission, the MAAG shall be under the command of the Unified Commander with area security assistance responsibilities. Functions enumerated in E.10. must be performed by MAAG personnel within the guidelines established by messages in references (q), (r), (s), and (t).

2. The ASD(ISA) and the Director, DSAA, are authorized to communicate directly with Commanders of Unified and Specified Commands and with the Chiefs of MAAGs on security assistance matters. All DSAA directives and communications to such commands, the Military Departments, and the MAAGs that pertain to security assistance and that have military or operational implications shall be coordinated with the JCS. Those having policy implications shall be coordinated with the ASD(ISA) and the JCS. Conversely, all JCS directives and communications to Unified and Specified Commands, the Military Departments, or the MAAGs that pertain to security assistance policy shall be coordinated with the ASD(ISA).

3. Direct communication between the MAAGs and the ASD(ISA) or the DSAA for implementation of approved programs is authorized. Direct communication is authorized between the MAAGs, Military Departments, and Unified Commands on technical, administrative, and other matters relating to implementation of security assistance programs. Unified Commanders and the JCS shall be kept fully informed by all DoD Components and MAAGs on security assistance matters.

4. Use of the acronym "MAAG" in this Directive does not alter current command relationships between the Director, Defense Intelligence Agency, and the Defense Attaches who report to other DoD Components on security assistance matters only.

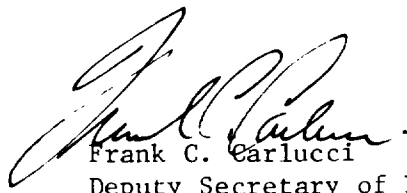
5. For the purpose of security assistance activities and coordination of MAAG activities only, the area of USCINCSO includes all of Central America, South America, Mexico, and the islands of the Caribbean; the area of USCINCEUR includes Europe, Turkey, the Mediterranean Sea, the Middle East including Iran, the Red Sea, Persian Gulf, and Africa; and the area of USCINCPAC includes Japan, Republic of Korea, countries in Southeast Asia and South Asia, and islands in assigned water areas.

6. The existing responsibilities of the Commanders of Unified Commands published by the JCS and in DoD Directive 5100.1 (reference (u)) not related to security assistance shall not be affected by this Directive.

7. This Directive constitutes the basic terms of reference for all DoD organizations assigned responsibility for management of security assistance activities in foreign countries. Proposed supplemental instructions required because of unique situations peculiar to a specific country may be drafted by the MAAG, fully coordinated with the Chief of U.S. Diplomatic Mission, and submitted to the appropriate Unified Commander for comment and submission to the JCS. The JCS shall submit the proposed instructions, with recommendations, if appropriate, to the ASD(ISA) for approval.

G. EFFECTIVE DATE AND IMPLEMENTATION

This Directive is effective immediately. Forward two copies of implementing documents to the Assistant Secretary of Defense (International Security Affairs) within 120 days.



Frank C. Carlucci
Deputy Secretary of Defense

Enclosures - 1
References

REFERENCES, continued

- (d) DoD 5105.38-M, "Military Assistance and Sales Manual," Parts I, II, and III, March 1, 1979, authorized by DoD Directive 5105.38, August 10, 1978
- (e) DoD Directive 2100.3, "United States Policy Relative to Commitments to Foreign Governments Under Foreign Assistance Programs," July 11, 1977
- (f) Office of Management and Budget (OMB) memorandum, "Procedures for Processing New Commitments to Foreign Governments," June 17, 1963
- (g) DoD Directive 2000.10, "Selection and Training of Security Assistance Personnel," January 17, 1972
- (h) DoD Directive C-5105.32, "Defense Attache Systems," March 23, 1973
- (i) DoD 5200.1-R, "Information Security Program Regulation" October 1980, authorized by DoD Directive 5200.1, November 29, 1978
- (j) DoD Directive 5230.11, "Disclosure of Classified Military Information to Foreign Governments and International Organizations," March 2, 1979
- (k) National Disclosure Policy (NDP-1)
- (l) DoD Directive 5105.38, "Defense Security Assistance Agency (DSAA)," August 10, 1978
- (m) DoD Directive 5000.19, "Policies for the Management and Control of Information Requirements," March 12, 1976
- (n) DoD Directive 5000.11, "Data Elements and Data Codes Standardization Program," December 7, 1964
- (o) DoD Directive 4410.6, "Uniform Materiel Movement and Issue Priority System (UMMIPS)," October 30, 1980
- (p) President's Letter on the Responsibilities of Chiefs of American Diplomatic Missions, October 1977
- (q) Secretary of State message (State 207984), DTG 310231Z Aug 77, "Implementation of Arms Transfer Policy Guidelines Against Promotion of Arms Sales"
- (r) Joint State/Defense message (State 047743), DTG 240237Z Feb 78, "Roles and Activities of Military Personnel Assigned to Security Assistance Duties in Diplomatic Mission Abroad"
- (s) Secretary of State message (State 252478), DTG 211400Z Oct 77, "Arms Transfer Policy Guidelines"
- (t) Secretary of State message (State 116646), DTG 090700Z May 78, "Relationships Between Elements of the Department of Defense and Security Assistance Elements in Diplomatic Missions"
- (u) DoD Directive 5100.1, "Functions of the Department of Defense and its Major Components," January 26, 1980
- (v) Secretary of Defense memorandum, "Delegation of Authority Relating to Security Assistance," February 12, 1972
- (w) DoD Directive 5132.2, "Assistant Secretary of Defense (International Security Affairs)," May 20, 1961
- (x) President's policy on Conventional Arms Transfers, May 19, 1977